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July 14, 2005

Mr. Joseph Cosentino United States Environmental Protection Agency 2890 Woodbridge Avenue, Bldg. 209, Mail Stop 211 Edison, New Jersey 08837 VIA FAX AND U.S. MAIL

RE: Bayonne Barrel & Drum Site, Newark, NJ Progress Report No. 17

Dear Mr. Cosentino:

On behalf of the Bayonne Barrel & Participating Parties and pursuant to Paragraph 23 of the Administrative Order on Consent, enclosed please find three (3) copies of Progress Report No. 17 covering the period from June1, 2005 through June 30, 2005.

Very truly yours,

de maximis, inc.

William J/Lee

CC:

- S. Flanagan, USEPA
- S. Kehayes, NJDEP
- J. Jones, City of Newark
- J. Allaire, Kirkpatrick & Lockhart
- W. Hyatt, Kirkpatrick & Lockhart
- D. Reid-Green, BASF
- J. Vidumsky, DuPont

BAYONNE BARREL & DRUM SUPERFUND SITE PROGRESS REPORT NO. 16

June 1, 2005 through June 30, 2005

Description of the Actions Taken Toward Achieving Compliance with the Administrative Order on Consent Since the Previous Report:

- A letter was submitted on June 3rd confirming the Bayonne Barrel Performing Parties intent to transport Rubbery Residue and Waste Ash Pile waste materials currently staged on-site to Clean Harbors' TSDF facilities. Letter attachments included Waste Profiles submitted to Clean Harbors and May 25th correspondence from Clean Harbors responding to EPA's inquires about the TSDF operating conditions and practices. This letter was intended to complete the response to a list of requirements set forth in EPA's April 24th e-mail to obtain approval for disposal, and was in supplement to a partial response submitted on May 25th.
- EPA responded to the above referenced letter by e-mail on June 8th, at which time additional items of inquiry were presented. On June 9th an additional e-mail from EPA was received as a second response to a June 7th inquiry, setting out site-work related requirements prior to implementing the proposed waste disposal activities.
- A June 7th letter from Clean Harbors was forwarded to EPA by e-mail on June 15th presenting Clean Harbors' Notice of Waste Acceptance for the earlier submitted profiles, and submitting (2) facilities for policy review. The e-mail transmittal also responded to items presented in EPA's June 8th and June 9th e-mail messages. On June 16th, EPA responded by e-mail and presented new requirements for shipment of the wastes, stating among other things that it is imperative that the waste stream be sampled for all LDR constituents as proof of their destruction, especially dioxin.
- EPA indicated acceptance of the proposed disposal outlets on June 21st, which acceptance is valid for 60 days. The current situation is that disposal is delayed pending a resolution or approval of all matters relating to waste profiles, ash tracking and testing, and work plan requirements.

Mr. Joseph Cosentino Bayonne Barrel & Drum Superfund Site Progress Report No. 17 July 14, 2005

- Site security continues to be maintained at the site with guard service and video surveillance
- The Remedial Investigation Report prepared for submittal to the NJDEP pursuant to the Technical Requirements was submitted on January 18, 2005.
- Work activities in connection with the preparation of the Remedial Action Selection Report are continuing.

Summary of all Results of Sampling, Tests or Other Data Received or Generated Since the Previous Report:

None

Completed Deliverables Since the Previous Report:

None.

Actions Planned Prior to Submittal of Final Completion Report:

- Transport roll-off boxes with Courtyard residue off-site for disposal.
- Prepare documentation of all site disposal activities.
- Submit Progress Report No. 17-July 2005.
- Continue Monthly Progress Reporting.

Percentage Completion:

Work Plan Submittal and Approval- 100% Construction Operations Plan Implementation - 95% Post-Removal Site Control Plan - 0% Final Report - 0%

Delays Encountered or Anticipated:

None currently identified.